

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-21 are pending in this application. Claims 1-3, 7, 8, and 15-19 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. patent 5,930,791 to Leu. Claims 4 and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Leu for claims 1 and 8 and further in view of U.S. patent publication U.S. 2001/0042094 A1 to Mitchell et al. (herein "Mitchell"). Claims 5, 14, 20, and 21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Leu as applied to claims 1, 8, 15, and further in view of U.S. patent 6,345,278 to Hitchcock et al. (herein "Hitchcock"). Claims 6 and 9-12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Leu as applied to claims 1 and 8, and further in view of U.S. patent 5,434,971 to Lysakowski et al. (herein "Lysakowski").

Addressing each of the above-noted rejections, those rejections are traversed by the present response.

The basis for each of the outstanding rejections relies upon Leu anticipating the subject matter of each of independent claims 1, 8, and 15. However, applicants respectfully submit those claims patentably distinguish over Leu. Further, each of independent claims 1, 8, and 15 is amended by the present response to make clarifications that are believed to more clearly distinguish the claims over Leu.

Each of independent claims 1 and 8 now further recite:

a data import controller for importing into the database reagent data and reference sample data of the sample to be analyzed, which is collected by a remote computer, in the same text-based file format as the stored analysis related information[.]

Further, independent claims 1 and 8 also clarify that the analysis related information is stored in the text-based filed format "as a data storage format by each data item in the database".

The features clarified in each of independent claims 1 and 8 are believed to be clear from the original disclosure, for example at page 13, lines 20-21, page 21, lines 1-7, page 28, lines 20-27, and from Figures 2 and 7 of the specification.

Independent claim 15 is amended by the present response to now further recite:

wherein said backup recovery processor backs up said analysis related information in a plurality of steps by data items of said analysis related information in accordance with the volume of data targeted for backup.

That subject matter is believed to be fully supported by the original specification for example at page 17, lines 15-23.

First, applicants note independent claims 1 and 8 recite that the analysis related information is stored in a “text-based file format”. The outstanding Office Action indicates Leu discloses such a feature at column 4, lines 57-65.¹ However, in that respect applicants note Leu does not disclose that the stored information in the predetermined data format in the “symmetrical-type” database is in a “text” based file format such as CSV or XML. Applicants note it is often the case that text data that is displayed as a visible text is converted into binary format and stored, for data volume reasons or security reasons. Leu simply does not teach or suggest that analysis related information is stored in a text-based file format, contrary to the position taken in the Office Action.

Further with respect to independent claims 1 and 8, applicants respectfully submit Leu further does not disclose or suggest the “data import controller” now recited therein. More particularly, as recited in amended independent claims 1 and 8, a data import controller imports into the database reagent data and reference sample data of the sample to be analyzed, which is collected by a remote computer, in the same text-based file format as the analysis related information. Further, the analysis related information is stored in the text-based file format as the data storage format by each data item in the database, thereby

¹ Office Action of March 11, 2004, page 6, lines 13-14.

enabling inputting and retrieving directly from the database without data format conversion. Such features are believed to clearly distinguish over Leu. Moreover, Leu does not achieve or suggest achieving benefits that can be realized with the claimed features.

The present inventors recognized that the inventions of claims 1-14 overcome a drawback in previous systems. Namely, in previous systems analysis related information is stored locally and imported from a remote computer in a binary file format, which prevents easy access from a remote terminal regardless of diversity in hardware/software type and version.

With the structure set forth in the claims as currently written, all types of information necessary for sample analysis are not only displayed/printed-out in a text-based data format, but are stored in the database in the same text-based data format by each data item (including as a non-limiting example CSV or XML). Further, as now clarified in claims 1 and 8, reagent data and reference sample data, both of which, e.g., may be obtained from a manufacturer and merged into the claimed analysis related information, are imported into the claimed database, as a non-limiting example from a remote computer of the reagent/reference sample manufacturer, in the same text-based data format as the stored analysis related information. Thereby, a remote manufacturer who needs to access the stored reagent data and reference sample data can easily and directly access the imported reagent data and reference sample data without data conversion, with reference to other data items of the analysis related information.

Such benefits and operations that can be realized by the claimed invention are not even addressed or eluded to in Leu.

Further, applicants note Leu discloses remote access to software engine 86 at column 6, lines 50-60; however, Leu does not disclose or suggest that data is imported in a same text-based data format as locally stored data in analysis related information.

In such ways, applicants further submit that Leu does not further disclose or suggest the “data input controller” now clarified in independent claims 1 and 8, and the claims dependent therefrom.

In view of these foregoing comments, applicants respectfully submit that each of amended independent claims 1 and 8, and the claims dependent therefrom, patentably distinguish over Leu.

With respect to independent claim 15, applicants respectfully submit that Leu does not disclose or suggest the feature clarified in claim 15 that “said backup recovery processor backs up said analysis related information in a plurality of steps by data items of said analysis related information in accordance with the volume of data targeted for backup”. Leu simply does not teach or suggest any type of phased backup operation as now clarified in independent claim 15.

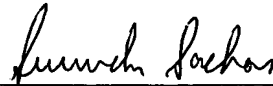
In such ways, applicants respectfully submit that amended independent claim 15, and the claims dependent therefrom, also patentably distinguish over Leu.

Moreover, applicants submit that none of the secondary references to Mitchell, Hitchcock, or Lysakowski teach or suggest any features that would overcome the above-noted deficiencies of Leu with respect to any of amended independent claims 1, 8, and 15 or the claims dependent therefrom.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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